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ABSTRACT

The document is the first part of a study conducted to evaluate policy-related research on police arrest discretion as an alternative solution to arrest. It presents the administrative summary of the Arrest Decisions as Preludes To? (ADAPT) project and contains scripts intended for use by police departments as a staff training device. The administrative summary outlines the project's methodology for evaluating police diversion. The project assessed police arrest discretion based on an evaluation of current literature and interviews with random samples of police officers in selected departments. The collected literature was reviewed for internal validity, study strengths and weaknesses, internal consistency, external validity, and police relevance. The interviews revealed a degree of inaccuracy found in police diversion literature. Some policy implications derived from the study are listed. The police training script consists of three segments, providing situations which illustrate police arrest diversion techniques. The segments are titled: (1) adult vagrant, (2) stolen car, and (3) warehouse burglary. The scripts are provided in two forms. One is a completely written script which officers may read or memorize for presentation. The other is a detailed outline for spontaneous improvisation. (EC)

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# ARREST DECISIONS AS PRELUDES TO ?

## AN EVALUATION OF POLICY RELATED RESEARCH

**Volume I: Administrative Summary and Training Script**

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# ARREST DECISIONS AS PRELUDES TO ?
## AN EVALUATION OF POLICY RELATED RESEARCH

**Volume I: Administrative Summary and Training Script**


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The contents of this report are the sole responsibility of the authors

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The National Science Foundation funded our work; the National Council on Crime and Delinquency Research Center provided our base of operations. The National Council on Crime and Delinquency Library, Information Center, and Law Enforcement Council staffs were valuable resources.

# ARREST DECISIONS AS PRELUDES TO ?
## AN EVALUATION OF POLICY RELATED RESEARCH

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## FOREWORD

This evaluation of policy-related research on police diversion is one in a series of projects on the Evaluation of Policy-Related Research in the Field of Human Resources, funded by the Division of Social Systems and Human Resources in the Research Applied to National Needs Program of the National Science Foundation.

A large body of policy related research on human resources has been created over the last quarter century. However, its usefulness to decision makers has been limited because it has not been evaluated comprehensively with respect to technical quality, usefulness to policy makers, and potential for codification and wider diffusion. In addition, this research has been hard to locate and not easily accessible. Therefore, systematic and rigorous evaluations of this research are required to provide syntheses of evaluated information for use by public agencies at all levels of government and to aid in the planning and definition of research programs.

Recognizing these needs, the Division of Social Systems and Human Resources issued a Program Solicitation in January 1973 for proposals to evaluate policy-related research in 21 categories in the field of human resources. This competition resulted in 20 awards in June 1973.

Each of the projects was to: 1) Evaluate the internal validity of each study by determining whether the research used appropriate methods and data to deal with the questions asked; 2) Evaluate the external validity of the research by determining whether the results were credible in the light of other valid policy-related research; 3) Evaluate the policy utility of specific studies or sets of studies bearing on given policy instruments; 4) Provide decision makers, including research funders, with an assessed research base for alternative policy actions in a format readily interpretable and useable by decision makers.

Each report was to include an analysis of the validity and utility of research in the field selected, a synthesis of the evidence, and a discussion of what, if any, additional research is required.

The following is a list of the awards showing the research area evaluated, the organization to which the award was made, and the principal investigator.

(1) An Evaluation of Policy Related Research on New Expanded Roles of Health Workers — Yale University, School of Medicine, New Haven, Connecticut, 06520; Eva Cohen

(2) An Evaluation of Policy Related Research on the Effectiveness of Alternative Allocation of Health Care Manpower — Interstudy, 123 East Grant Street, Minneapolis, Minnesota, 55403; Aaron Lowin

(3) An Evaluation of Policy Related Research on Effects of Health Care Regulation — Policy Center, Inc., Suite 500, 789 Sherman, Denver, Colorado, 80203; Patrick O'Donoghue

(4) An Evaluation of Policy Related Research on Trade-Offs Between Preventive and Primary Health Care — Boston University Medical Center, Boston University School of Medicine, Boston, MA, 02215; Paul Gertman

(5) An Evaluation of Policy Related Research on Effectiveness of Alternative Programs for the Handicapped — Rutgers University, 165 College Avenue, New Brunswick, New Jersey, 08901; Monroe Berkowitz

(6) An Evaluation of Policy Related Research on Effects of Alternative Health Care Reimbursement Systems — University of Southern California, Department of Economics, Los Angeles, California, 90007; Donald E. Yett

(7) An Evaluation of Policy Related Research on Alternative Public and Private Programs for Mid-Life Redirection of Careers — Rand Corporation, 1700 Main Street, Santa Monica, California, 90406; Anthony H. Pascal

(8) An Evaluation of Policy Related Research on Relations between Industrial Organization, Job Satisfaction, and Productivity — Brandeis University, Florence G. Heller Graduate School for Advanced Studies in Social Welfare, Waltham, MA. 02154; Michael J. Brower

(9) An Evaluation of Policy Related Research on Relations between Industrial Organization, Job Satisfaction and Productivity — New York University, Department of Psychology, New York, New York, 10003; Raymond A. Katzell

(10) An Evaluation of Policy Related Research on Productivity, Industrial Organization and Job Satisfaction — Case Western Reserve University, School of Management, Cleveland, Ohio, 44106; Suresh Srivastva

(11) An Evaluation of Policy Related Research on Effectiveness of Alternative Methods of Reducing Occupational Illness and Accidents — Westinghouse Behavioral Safety Center, Box 948, American City Building, Columbia, Maryland, 21044; Michael Pfeifer

(12) An Evaluation of Policy Related Research on the Impact of Unionization on Public Institutions — Contract Research Corporation, 25 Flanders Road, Belmont, Massachusetts; Ralph Jones

(13) An Evaluation of Policy Related Research on Projection of Manpower Requirements — Ohio State University, Center for Human Resources Research, Columbus, Ohio, 43210; S. C. Kelley

(14) An Evaluation of Policy Related Research on Effectiveness of Alternative Pre-Trial Intervention Programs — ABT Association, Inc., 55 Wheeler Street, Cambridge, Massachusetts, 02138; Joan Muller

(15) An Evaluation of Policy Related Research on Standards of Effectiveness for Pre-Trial Release Programs — National Center for

State Courts, 725 Madison Place, N.W., Washington, D.C., 20005; Barry Mahoney

(16) An Evaluation of Policy Related Research on Effectiveness of Volunteer Programs in the Area of Courts and Corrections — University of Illinois, Department of Political Science, Chicago Circle, Box 4348, Chicago, Illinois, 60680; Thomas J. Cook

(17) An Evaluation of Policy Related Research on Effectiveness of Juvenile Delinquency Prevention Program — George Peabody College for Teachers, Department of Psychology, Nashville, Tennessee, 37203; Michael C. Dixon

(18) An Evaluation of Policy Related Research on Exercise of Discretion by Law Enforcement Officials — College of William and Mary Metropolitan Building, 147 Granby Street, Norfolk, Virginia, 23510; W. Anthony Fitch

(19) An Evaluation of Policy Related Research on Exercise of Police Discretion — National Council on Crime and Delinquency Research Center, 609 2nd Street, Davis, California, 95616; M. G. Neithercutt

(20) An Evaluation of Policy Related Research on Post Secondary Education for the Disadvantaged — Mercy College of Detroit, Department of Sociology, Detroit, Michigan, 48219; Mary Janet Mulka

A complimentary series of awards was made by the Division of Social Systems and Human Resources to evaluate the policy-related research in the field of Municipal Systems, Operations, and Services. For the convenience of the reader, a listing of these awards appears below:

(1) Fire Protection — Georgia Institute of Technology, Department of Industrial and Systems Engineering, Atlanta, Georgia, 30322; D. E. Fyffe

(2) Fire Protection — New York Rand Institute, 545 Madison Avenue, New York, New York, 10022; Arthur J. Swersey

(3) Emergency Medical Services — University of Tennessee, Bureau of Public Administration, Knoxville, Tennessee, 37916; Hyrum Plaas

(4) Municipal Housing Services — Cogen Holt and Associates, 956 Chapel Street, New Haven, Connecticut, 06510; Harry Wexler

(5) Formalized Pre-Trial Diversion Programs in Municipal and Metropolitan Courts — American Bar Association, 1705 DeSales Street, N.W., Washington, D.C., 20036; Roberta Rovner-Pieczenik

(6) Parks and Recreation — National Recreation and Park Association, 1601 North Kent Street, Arlington, Virginia, 22209; The Urban Institute, 2100 M Street, N.W., Washington, D.C., 20037; Peter J. Verhoven

(7) Police Protection — Mathematica, Inc., 4905 Del Ray Avenue, Bethesda, Maryland, 20014; Saul I. Gass

(8) Solid Waste Management — Massachusetts Institute of Technology, Department of Engineering, Cambridge, Massachusetts, 02139; David Marks

(9) Citizen Participation Strategies — The Rand Corporation, 2100 M Street, N.W., Washington, D.C., 20037; Robert Yin

(10) Citizen Participation: Municipal Subsystems — The University of Michigan, Program in Health Planning, Ann Arbor, Michigan, 48104; Joseph L. Falkson

(11) Economic Development — Ernst & Ernst, 1225 Connecticut Avenue, N.W., Washington, D.C., 20036; Lawrence H. Revzan

(12) Goal of Economic Development — University of Texas-Austin, Center for Economic Development, Department of Economics, Austin, Texas, 78712; Niles M. Hansen

(13) Franchising and Regulation — University of South Dakota, Department of Economics, Vermillion, South Dakota, 57069; C. A. Kent

(14) Municipal Information Systems — University of California, Public Policy Research Organization, Irvine, California, 92664; Kenneth L. Kraemer

(15) Municipal Growth Guidance Systems — University of Minnesota, School of Public Affairs, Minneapolis, Minnesota, 55455; Michael E. Gleeson

(16) Land Use Controls — University of North Carolina, Chapel Hill, Center for Urban and Regional Studies, Chapel Hill, North Carolina, 27514; Edward M. Bergman

(17) Land Use Controls — The Potomac Institute, Inc., 1501 Eighteenth Street, N.W., Washington, D.C., 20036; Herbert M. Franklin

(18) Municipal Management Methods and Budgetary Processes — The Urban Institute, 2100 M Street, N.W., Washington, D.C., 20037; Wayne A. Kimmel

(19) Personnel Systems — Georgetown University, Public Service Laboratory, Washington, D.C., 20037; Selma Muchkin

Copies of the above cited research evaluation reports for both municipal Systems and Human Resources may be obtained directly from the principal investigator or from the National Technical Information Service, U. S. Department of Commerce, 5285 Port Royal, Springfield, Virginia, 22151 (Telephone: 703/321-8517).

This research evaluation was prepared with the support of the National Science Foundation. The opinions, findings, conclusions or recommendations are solely those of the authors.

It is a policy of the Division of Social Systems and Human Resources to assess the relevance, utility, and quality of the projects it supports. Should any readers of this report have comments in these or other regards, we would be particularly grateful to receive them as they become essential tools in the planning of future programs.

Lynn P. Dolins
Program Manager
Division of Social Systems
and Human Resources
National Science Foundation

## Volume I:

## Administrative Summary and Training Script

This two part volume serves double purposes. It provides a summary of the "Arrest Decisions as Preludes to ? (ADAPT?)" project and contains a script intended for use by police departments as a training device.

Part A: An Administrative Summary

The administrative summary abstracts the project, presenting a skeleton account of "ADAPT?" which allows persons with a passing interest in this project to familiarize themselves with its scope in an efficient manner. It facilitates ingress to the detailed write-up in Volume II *(Study Design, Findings, and Policy Implications)* and Volume III *(Technical Appendix)* by those who deem the study pertinent to their current concerns.

Part B: A Police Training Script

This document is designed for use by police departments in staff training. It is written for use either as an improvisational device or in the more traditional manner of a stage presentation or in "role play." Broadened acquaintance of officers with the fact that alternatives to arrest exist, that their use is pervasive, and that various alternates have differential effects is the script's thrust.

## Part A

## An Administrative Summary

### Introduction

The exact degree to which police use their discretion not to arrest in situations where they could elect to take persons into custody is unknown. Estimates vary greatly, the range going up to 80% or more of national contacts and approaching zero in some local jurisdictions. Naturally, these data depend on records and discretion includes the option not to record events, so "the truth" (an accurate estimation) is hard to determine.

The police literature makes various assertions about what police do and why they do it. Those writings contain multiple references to the arrest situation and currently there is emerging a spate of writings about what the social role of arrest is and should be.

Police discretion to impose custody has existed as long as have the police. Much like the "dark figure" of crimes committed — the difference between crimes perpetrated and those recorded — it is almost defined into the modes used to bring offenders to account. As society becomes more complex, need for understanding of social phenomena increases. Certainly the faces of arrest need to be clearly identified for an informed citizenry to monitor criminal justice system processes.

### The Study

Realizing that little is known about police arrest discretion, this research project was undertaken with the central aim of assessing current evaluation literature on the effects of police alternates to arrest. The first problem was definition of the study area.

"ADAPT?" defined arrest as deprivation of a person's liberty by legal authority and imposed the requirement that only arrest situations involving criminal matters were pertinent to the current research. We also determined that we would not go beyond the boundaries of police discretion. Thus, our focus became the effects of police decisions surrounding arrest.

This led to the second major problem, location and understanding of the police discretion literature relating to arrest. Multiple avenues of search were used.

The National Council on Crime and Delinquency (NCCD) maintains an Information Center which topical-searches the criminal justice literature on request. Project staff secured a search in the police discretion area and received abstracts of the relevant literature located by this technique.

The NCCD library, the largest crime and delinquency library in existence, furnished complete copies of most of the works we discovered via this and the following approaches. Their staff worked with us by allowing us long-term borrowing privileges, sending us mountains of materials, and assisting in location of obscure works.

Similar services were derived from the University of California library system. These were especially valuable given the School of Criminology library at Berkeley's large collection of pertinent works and the proximity of these libraries. The usual library resources were consulted, including *Reader's Guide to Periodical Literature, Social Science and Humanities Index, Psychological Abstracts, Books in Print, Public Affairs Information Service,* and *Abstracts on Criminology and Penology.* These were supplemented by such works as *Crime and Delinquency Abstracts,* the *International Bibliography on Crime and Delinquency,* and *Crime and Delinquency Literature.* In this category, also, are bibliographies which provide access to pertinent materials. Multiple examples of these were located.

A "chain interview" added an unusual dimension to our literature search. We employed this tool to expand on the works discovered by the techniques set out above. The chain interview consisted of contacting by telephone each of the authors of pertinent works located to that juncture in the study asking that person to cite all work known in the subject area. The names of three (or more) other persons who would be sources of this type of information were requested, as well. This technique served primarily to pinpoint unpublished studies, obscure publications, and work in progress. Further, it gave an idea of the extent to which particular works have impacted thinking in the field in that frequency counts of times mentioned were kept on each publication. This was augmented by frequency-of-citation data from the *Social Sciences Citation Index.*

In order to assess the reflectiveness of the literature concerned with the beliefs of police officers of effects on their arrest decisions, a series of bifurcated interviews was employed. A random sample of officers was drawn from selected police departments across the United States. Each of these persons was asked a structured series of questions about the procedures used by himself and fellow police to avoid arrest as a problem solution. Additionally, each officer was invited to detail the effects of arrest — both positive and negative — and the alternative procedures he described. This provided a check on the comprehensiveness of the literature, gave an idea of what police officers know of the alternatives to arrest available to them, and indicated what information they possessed about the effects of their use of these myriad alternatives.

A second sample of officers was drawn as described above, but these officers responded to the same questions using a "screening" device which guaranteed that only the respondent knew his answers. This approach helped us determine whether or not information given by

interviewees whose identity was mechanically protected would be different from answers solicited in the usual manner.

These officer interviews, thus, served two purposes; they gave us keys to pertinent literature. They also furnished a source of comparison of the field of police practice with the literature about that practice.

The collected writings were subjected to several tests. Each police arrest discretion study that met minimal criteria as an evaluation work was reduced to evaluation grids comprised of the following subject areas:

1. Internal Validity

   a. Data

      Did the research formulate a clear problem, explicate one or more hypotheses, and gather and analyze data which addressed hypothese?

      Entries hereunder were in these dimensions:

      1) Name of Study
      2) Problem(s) Formulated by Study
      3) Hypotheses
      4) Target Population's Characteristics (Identifiable and Specific?)
      5) Pre-defined Results and their Implications
      6) Study Period/Follow-up Period
      7) Control/Comparison Group
      8) Data Source(s)

   b. Methods

      Were the evaluation techniques used sufficient to the task?

      Topic headings here were:

      1) Sample/Population Size Sufficient?
      2) Analysis Method
      3) Data Appropriateness (Baseline, Criterion)
      4) Statistical Tools Utilized/Results Reported
      5) Alternate Statistical Tools
      6) Influences Other than "Treatment" Possible? (Specify)
      7) Any Supportive Evidence Not Detailed by Study? (Specify)
      8) Are Data Sufficient to Support Conclusions? (Specify Insufficiencies)
      9) Alternate Data Interpretations
      10) Logical/Implicative Concerns
      11) Other Methodological Concerns

2. Study Strengths and Weaknesses
How balanced is the research being evaluated?

Subjects of interest designated hereunder were:

a. Phases of Study Explored Exhaustively
b. Phases of Study Neglected
c. Differences in Analytic Rigor in Study Parts

3. Internal Consistency
Does the research report a unitary phenomenon?

Guides to this analysis were:

a. Is Problem(s) Addressed a Single Phenomenon? (Specify)
b. Were Evaluation Techniques Stable?
c. Was the Assessment Criterion Stable?
d. Were Reliability/Validity Tests Run?

4. External Validity
Are various studies of a given type compatible in result?

In this portion of the analyses each work was described along the following lines:

a. Name of Study
b. Results
   1) Treatment effects
   2) Other Salient Environmental Concomitants (than those cited in the study and/or than those typical of this class of studies)
   3) Restrictions on Population, etc., Applications
   4) Cost Benefits

Other works designated as comparable were contrasted with the lead publication in each class.

5. Policy Relevance
So What?

Topic headings hereunder were:

a. Policy Decisions Addressed or Implied
b. Implications for Those Policies
c. Target Groups to Whom Implications Apply
d. Other Considerations which may Mitigate Study Implications
e. Policies the Findings Support which are Understandable and Implementable

These policy questions were central to the study's thrust so they were looked at in two other contexts besides that derived from the

police arrest discretion evaluation literature: 1) a number of publications on the police arrest discretion topic were located which were not objectively evaluative and 2) the officer interviews described earlier contained considerable material on police discretion. These, thrown against the perspective gained from consultants and from the general police literature (that not focusing on police discretion), rounded out the frame of reference in which the study findings set forth in succeeding lines were pinpointed.

**Summary of Findings**

Accessing the police diversion literature sought involved multiple search techniques which seem to have afforded reasonably good coverage of the pertinent evaluation documentation available. The various reference works were helpful; exploration of the degree to which relevant literature is known in the field led to the conclusion that material is not readily available. The "chain interviews," tracing of *Social Sciences Citation Index* leads, and officer interviews documented little familiarity with these works among impacted persons. Not one of the core evaluation studies selected appeared to be well known to chain interview respondents, for instance.

The series of interviews conducted with law enforcement officers from several jurisdictions throughout the United States yielded many interesting findings. Primary among those is that suspicion of the accuracy and, therefore, the utility of the police diversion literature appears warranted. Project staff encountered a high level of receptivity as visitors in the various departments. There is reason to believe, however, that officer responses in situations where anonymity is mechanically guaranteed differ from those in circumstances in which the interviewer knows each subject's answers on certain central questions, such as those asking about the worthwhileness of looking for and considering use of alternatives to arrest.

Multiple citations of arrest-alternatives and procedures to assure their use were developed from the interviews. Much material is presented herein about the effects of arrest and of its alternates, from the officers' vantage points.

The central results of the "ADAPT?" project surround the analysis of the twenty-two police diversion evaluation studies located. These were subject to severe limitations in the Internal Validity area in that they tended not to formulate problems clearly or to frame and test hypotheses carefully. Often the target population of the study was not exactly described and there was little hope of determining whether or not the programs "worked" because objective tests of this question were absent.

In the Methodology area, far too often study populations were inadequate, analytic methods were inexplicit and of questionable utility, appropriate data were lacking, statistical tools utilized were limited,

"treatment" influences were only some among many possible explanations for results, supportive evidence from extra-study sources was non-existent, and logical leaps were involved in moving from data analysis to discussions of conclusions.

Studies reviewed tended to be consistently superficial or to major on one or two (often semi-extraneous) aspects of diversion at the expense of several others. Typical differences in analytic rigor involved careful analyses of cavalierly collected data, or vice-versa, and great attention to the possible program implications of findings resting on almost no data collection at all.

The studies inclined toward inconsistency. Changes in analytic approaches repeatedly crept into studies mid-stream. Worse, often one could not tell whether there was any internal consistency or not, save unflawed lack of clarity.

The External Validity question goes to whether or not studies of the same or like phenomena achieved similar results. It is difficult to determine whether structured diversion programs increase the level of diversion — one of their main purposes. Whether or not diversion leads to less penetration of the criminal justice system and less recidivism remains unknown. It can be concluded that sometimes diversion programs "work;" by no means all of them do. What distinguishes the successful approaches is not known. There may be no structural components that can guarantee effectiveness.

There appear to be no sufficient data available to assess finally the cost-benefits of diversion.

Despite (and sometimes because of) the previous observations, there are multiple observations about policy that "ADAPT?" settled upon.

**Policy Implications**

More fully developed and discussed in Volume II, Chapter E, the policy implications derived from this study of police use of arrest alternatives are listed in this section. These indicators came from both the core arrest discretion evaluation works assessed and from the general literature on law enforcement diversion.

1. Techniques need to be developed to assure appropriate use of diversion alternatives.
2. Techniques that enable ready comparisons of various approaches to diversion would be quite helpful.
3. Perhaps diversion alternative evaluations should be performed by teams of practitioners and researchers.
4. Diversion programs need to look at how they function organizationally as well as at how they impact clients.

5. Diversion programs would profit from mechanisms for assuring that they are progressing as planned.

6. Perhaps diversion programs can be subjected to evaluation only on short-term, high intensity rather than on longitudinal, continuous bases.

7. We suggest that diversion programs will falter unless they are physically accessible by the police, are easy to use, require little time to initiate referrals, are open when needed, are patently and obviously available, are "legal," are known to police, and communicate with pertinent police and other agencies.

8. Development of strategies for determining differential effectiveness of programs as they impinge on different classes of clients is a precursor of rational application of diversion programs.

9. Diversion programs do not have to be "sold" on any single criterion, especially not on the notion that they are the "only way" to meet problems. Varied approaches could be taken to implementing programs, including "justifying" them on bases sometimes accused of being trivial.

10. Diversion programs require both initial thrusts and periodic re-assessments to assure their usage by police.

11. Attempts to use existing police data systems to assess diversion programs will almost surely abort. There appears to be little likelihood of deriving definitive diversion evaluations without implementation of appropriate data gathering approaches as integral parts of these programs.

12. Attention to system characteristics, such as the implications of using diversion in a particular geographic setting, is essential.

13. There appears to be no empirical reason to believe that increased "professionalism" on the part of police will make diversion more effective.

14. Diversion programs which are demonstrated but not continued take such a toll that their implementation on a short-term basis is not recommended. If there is no commitment to continuing a program which documents its worth, the loss from this discontinuity can far outweigh any immediate gain.

15. It appears both highly likely and desirable that police diversion will be expanded. Needs arising from this require:
    a. acceptance of the legitimacy of the diversion enterprise,
    b. plans to meet citizen apprehension over this expansion,
    c. methods of informing users (e.g., officers) of program results, and
    d. exploitation of the opportunity diversion programs offer to reduce the isolation of police.

16. Diversion programs should not be embarked upon without a firm basis in fact and much forethought. Plans should:

    a. address avoidance of operational inadvertence and information losses,

    b. provide for monitoring progress continually to assure both that program requirements and information needs are being met,

    c. assure that at program completion, or specified "milestones", data will be at hand to facilitate rational analysis of progress and desirability/feasibility of program continuation, and

    d. include special safeguards against financing snags.

17. A large proportion of police contacts appropriately are handled by diversion, probably even more than presently are recognized.

18. Diversion programs can be implemented and will not result in new offending for sizeable numbers of their clients.

19. These programs probably work best when staffed by law enforcement and other functionaries in tandem. There are disadvantages to their being administered by police.

20. Diversion studies must take a long look at cost.

21. Diversion needs to be tested on adults and on serious offenders.

**Conclusion**

Diversion is an old practice. It remains darkly shrouded, nevertheless. There is a great opportunity in this subject area to do important exploratory work, with a large payoff to humanity possible. The script that constitutes Part B of this volume is a vehicle we offer to spotlight this topic of study and practice.

## PART B

## A POLICE TRAINING SCRIPT*

**SEGMENT ONE: Adult Vagrant**

**SEGMENT TWO: Stolen Car**

**SEGMENT THREE: Warehouse Burglary**

### INTRODUCTION

Each of the following segments is provided in two forms. One is a completely written script which officers may read or memorize for presentation. The other is a detailed outline for spontaneous improvisation. The improvisation may be handled in a number of ways. In some instances, only the situation need be set up (For example: "You are two officers on patrol. It is 3 a.m., and you spot a disheveled man on a suburban street. He is injured, appears to be drunk, is extremely belligerent, and resistant to help."). The officers may then create all dialogue and action from that point. If this method is used, it should be stressed at the beginning of the exercise that a primary purpose of the session is to illustrate alternatives to arrest.

Another way to handle the improvisation is to have the officers read over the complete improvisational outline and stick to that as they extemporize the dialogue. The training officer can first determine what the goals of the session are and then select that method which best suits the personnel involved. In most cases, improvisation will draw out individual feelings much quicker than the prepared script with subsequent discussion; however, it is often difficult to begin an improvisational session unless the individuals are highly motivated toward a common purpose.

The improvisational form is also provided to allow maximum flexibility for the training officer to alter situations and characters somewhat to fit more closely certain regional peculiarities, such as big city problems vs. rural problems. Training officers should note that while the scripts stand by themselves as functional training devices basically dealing with one subject, they may be used in a training session as a method for disseminating such information as new departmental regulations or laws specifically regarding police work.

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*This script is substantially the work of "ADAPT?" consultant D. H. Bowes.

Both forms can dramatize to participants that the officer on patrol can react in an arrest situation as a human being—sensitive to the problems of the community and of the individual who is committing a crime — and that he or she has viable alternatives to arrest and booking.

**SEGMENT ONE—Adult Vagrant**

Improvisational Outline

*Characters:* 2 patrolmen
1 vagrant

*Time:* 3 a.m.

*Place:* Suburban street

*Situation:*

Officers are on patrol in their car.

They spot a disheveled man bobbing and weaving down the sidewalk.

He is falling against parked cars and appears to be injured.

Officers pull alongside the man and ask if he is all right.

Man shouts obscenities at officers.

Officers get out of car to check him out.

Man is extremely belligerent and resistant to help. There is a bleeding gash on his head.

Officers take the man to the patrol car. He is searched, and it is found that he has no identification and no money.

It is evident that the man has been drinking.

The man cannot identify himself nor does he know where he is.

Officer I asks him to take drunk test.

Man becomes violent.

Officers subdue him.

Officer I wants to take him in on a vagrancy and resisting charge.

Officer II wants to take him to Lighthouse Mission for the night.

They lock man in back of patrol car and argue about what action to take.

Man sobers up somewhat and tells officers who he is and why he has been drinking.

Man has family problems.

It is breaktime for the officers.

They decide to take the man to the restaurant with them and get him something to eat — then back to the hotel where he has a room.

**SEGMENT ONE—Adult Vagrant**

*Characters:* 2 officers
1 vagrant

*Time:* 3 a.m.

*Place:* Suburban street
(Officers are patroling suburban neighborhood in the early hours of the morning. Officer II is driving the patrol car.)

*Officer I:* Hey, look at this character over here . . . can't even stand up straight. Look! He's falling all over himself.

*Officer II:* Is he injured? Or just drunk?

*Officer I:* I don't know. Maybe you'd better pull over and we'll check him out.
(Officer II pulls alongside the curb.)

*Officer I:* Hey, buddy, what's the trouble here? You all right?

*Man:* Up yours ya son of a bitch!

*Officer I:* All right, stop the car. The guy's really shitfaced.
(Officer II stops the car. Both get out.)

*Officer I:* (approaching man) OK, friend, let's just take it easy, all right?

*Officer II:* He's got a head wound. I'll get the first aid kit. (goes for kit)

*Officer I:* Looks like you've been hitting the sauce pretty heavy. You've got a bad . . .

*Man:* Don't come near me you bastard!

*Officer I:* I said you've got a bad gash on your head. We want to take a look at it . . .

*Man:* Get outa here. I don't need any help.

*Officer II:* (returning with the kit) I'll go around his other side and then let's get him to the car.
(With some difficulty they take him to the car.)

*Officer I:* OK. Keep your hands up here and cool it! Understand?

*Man:* Go to hell!

*Officer II:* He's got no identification on him. What's your name, sir?

*Man:* I want another drink. Where's the bartender?

*Officer II:* Oh man! The guy's really out of it. (to the man) O.K., we want you to blow into this balloon here. (He hands it to man, man throws it as far as he can.)

*Officer I:* Son of a . . . ! (Man begins swinging at officers.) Let's get him in the back seat.
(They manage to get him into back seat.)

*Officer I:* I'm gonna bust this character for resisting arrest.

*Officer II:* Oh, come on. He's drunk. He doesn't know what he's doing.

*Officer I:* I don't give a damn. The guy's dangerous running around like this. At least vagrancy or D and D then.

*Officer II:* Look at his clothes! The guy is obviously not a bum. Let's take him to Lighthouse Mission.

*Officer I:* I'm telling you he'll tear the place apart.

*Officer II:* Maybe he wants to be arrested.

*Officer I:* All right, so let's give him his wish!

*Officer II:* I mean the guy's got a problem other than the fact he's drunk.

*Officer I:* O.K. we take him in and give him his dime — he can call a social worker.

*Officer II:* Look! (indicates man) He's passed out. Let's cover that gash on his head. Then wake him up and tell him we're gonna take him to Lighthouse. Let's see how he reacts to it.

*Officer I:* I don't know. All right, get the kit. (pause) It's three oclock in the morning. We don't want to wake those people up now. It's a pain in the ass. We'll throw the guy in the tank and he'll sleep it off. They'll book him on a D and D, and if he's got no previous record, the DA will drop the charges.

*Officer II:* (has been dressing the wound) We don't know that for sure. Besides, the people at Lighthouse Mission volunteered for it. They get people at all hours. Look, the least we can do is take the guy to detox at County hospital.

*Officer I:* He's coming around. Let's see how he is.

*Officer II:* Sir, this is Off cer Brown. Can you understand me?

*Man:* What the . . . ?

*Officer I:* We are police officers. You are in the back of a police car. We found you in a drunk and disorderly condition.

*Officer II:* Can you tell us who you are? What is your name?

*Man:* My name is Smith, Ronald Smith.

*Officer II:* Where do you live?

*Man:* 2417 East . . . no . . . no . . . Heritage Hotel.

*Officer I:* 2417 East what?

*Man:* No, I live at the Heritage Hotel, Room 24.

*Officer II:* (has been on police radio) Get me Heritage Hotel on 9th Avenue.

*Officer I:* What are you doing out at this time of the morning?

*Officer II:* This is the police. Do you have a Ronald Smith registered there?

*Man:* Just having a couple of drinks, that's all.

*Officer I:* Do you realize that you assaulted a police officer?

*Officer II:* (on phone) O.K. Right. Thanks. He checks out! What's the problem, Mr. Smith?

*Man:* I don't want any lectures. Just take me in, all right? If that's what you want to do, just take me in!

*Officer II:* We want to help you — if you'll just tell us why you got yourself into such a mess.

*Man:* It's none of your business. If you're gonna bust me, let's get it over with.

*Officer I:* All right, let's take him in.

*Officer II:* Wait a minute. Look, Mr. Smith. If we wanted to, we could haul you in on a resisting arrest charge. You actually attacked Officer Martin here! At the very least we could bust you on a vagrancy charge. But we want to help you. You got that straight? Now you think about that for a second!

*Officer I:* (to Officer II) Come on, we're wasting time with this guy!

*Man:* All right, All right! I used to live at 2417 East 12th Street. My wife kicked me out last night. So I've been staying at the Heritage till I decide what to do next. I've been tying one on ever since. I lost my car keys and my wallet. I don't know what the hell I'm doing.

*Officer II:* (to Officer I) Isn't it about time for our break?

*Officer II:* (indicating man) I think we've got a guest for dinner.

**SEGMENT TWO—Stolen Car**

Improvisational Outline

*Characters:* 1 young adult (driver)
2 juveniles
2 patrolmen
1 citizen (owner of stolen car)

*Time:* 9 p.m.

*Place:* Country road

*Situation:*

*Scene I:* Patrolmen spot stolen car moving ahead of them.

They pull car over.

The passengers are 3 youths, although the driver appears to be older than the other 2.

Officer I asks for registration and driver's license.

Car is positively identified as stolen vehicle in question.

Officer II orders youths out of car.

Driver gives Officer I a difficult time.

Youths produce identification. Driver is an adult, other 2 are 15.

Officers search car.

They find empty beer cans.

Driver becomes more and more belligerent—using abusive language.

Two juveniles state they were unaware that car was stolen yet admit to drinking beer.

It becomes apparent that driver stole car and obtained beer—then picked up other 2.

Officers put 3 youths in patrol car and discuss what to do.

They agree to take 2 juveniles home and release them to family. Return car to owner.

There is disagreement as to what to do with driver.

Officer I wants to take him into custody.

Officer II wants to take him to "halfway house."

Driver's parents are out of town.

They decide to arrest adult.

*Scene II:* (2 hours later at owner's home. Officers have returned car to owner.)

Man is glad to have car back but furious at "kids" for stealing it.

Officers calm him down and explain disposition of case.

They point out that car is undamaged, and that he left his keys in the car.

Man demands that "kids" be punished.

Officers attempt to explain their action, but man will not be placated.

Officers refer man to DA.

*Scene III:* (Officers during break 3 weeks later discussing disposition of case.)

Officer II called parents of 2 juveniles—no trouble there.

Driver of car was booked for grand theft/auto.

Charges were reduced by plea-bargaining to joyriding.

Then charges were dropped by owner because driver's father was president of private club to which owner was applying for membership.

Driver has just been arrested again—charged with breaking and entering.

Officers discuss merits of their action regarding justice system vs. their alternatives.

**SEGMENT TWO—Stolen Car**

*Characters:* 1 young adult (driver)
2 juveniles
2 patrolmen
1 citizen (owner of stolen car)

*Time:* 9 p.m.

*Place:* Country road

**SCENE I**

(Officers have received radio report of stolen car. As scene opens they spot said vehicle.)

*Officer I:* Yeah, I can see the plates now. It's Alpha, Charlie, Peter 930. Blue LTD. That's our baby. Let's pull it over.

(They put on lights and pull over car.)

*Officer I:* I'll take this one; you cover me.

*Officer II:* (Getting out of car) Looks like 3 kids.

*Officer I:* (at driver's window) All right, let's see your driver's license and registration.

*Driver:* What did I do? I wasn't speeding or nothing!

*Officer I:* Just let me see your driver's license.

*Driver:* (producing license) Here. (then under his breath) Goddam pig!

*Officer I:* (ignoring remark) And the registration?

*Driver:* I left it home. Look, we weren't breaking any laws—just takin' a ride here. What's all this about?

*Officer I:* This car is reported stolen. I want you all to get out of the car right now. (He opens the door.) Come on!

*Driver:* (disgusted) Great!
(Officer II moves in to assist.)

*Officer II:* (to all 3) Hands up on the roof! (He searches them.) All right. (to younger 2) Have you 2 got any identification? (They produce I.D.'s.)

*Officer I:* (searching car) Smells like a brewery in here. About a dozen empty beer cans in the back seat!

*Officer II:* These 2 are only 15. The driver's 18.

*Officer I:* All right, which one of you is going to tell us what happened?

*Juvenile I:* Listen officer, we. . .

*Driver:* Shut up, man. We don't have to tell these cops anything! Just keep your mouth shut!

*Officer I:* That's right. You don't have to tell us a damn thing. We'll just haul you in on grand theft/auto. Is that the way you want to do it?

*Juvenile II:* (indicating driver) Hey Fred, you didn't tell us this heap was stolen. (to the officer) Look, we'll cop to the beer drinking, but we didn't have anything to do with stealing this car.

*Officer II:* (to Juvenile I) Is that your story, too?

*Juvenile I:* Yes. We were just down at the drive-in, and we ran into Fred and he asked us if we wanted to go for a ride in his uncle's car.

*Officer I:* But you didn't go with him just to take a ride in his uncle's car. You went with him 'cause he had some beer. Isn't that right?

(Both juveniles nod in agreement.)

*Officer II:* Alright. All 3 of you get in the back seat of the patrol car.

*Driver:* What are you going to do with us?

*Officer II:* Just get in the back seat and shut up.
(3 youths get in back seat.)

*Officer I:* I don't think those 2 kids had anything to do with stealing the car.

*Officer II:* No, I don't think so either. Why don't we release them to their parents?

*Officer I:* That's all right with me. What about the other guy?

*Officer II:* Well, I don't know. He's trying to put up a tough front, but I think he's really scared just the same.

*Officer I:* I think we gotta bust him. If it were just the beer, OK, but auto theft is another story.

*Officer II:* Auto theft? Oh, come on. It's just joyriding. The car looks as though it's in good shape. We can return it to the owner. He probably won't even press charges. Besides, I think it's a lot more complicated than this — as far as this kid is concerned.

*Officer I:* What are you talking about?

*Officer II:* Well, he stole the car by himself. Don't you think that's strange?

*Officer I:* (sarcastically) No, not really,

*Officer II:* I do. Why would a guy steal a car, all by himself, and then get some beer and go cruise a hamburger joint and pick up 2 15-year olds? He just doesn't sound like the tough punk he thinks he is.

*Officer I:* No. You're going soft on this one. The other 2—all right. They didn't know what they were getting into. But the driver, he doesn't appear to have any regrets.

*Officer II:* I think he's just trying to play tough in front of the other kids. You know what I think? I think he's just lonely. He wanted some friends and this is how he went about doing it. It's just an attention-getting bit.

*Officer I:* So what would you suggest we do with him?

*Officer II:* Why don't we drop him off at the halfway house?

*Officer I:* There's no drugs involved here?

*Officer II:* Yeah, I know, but they'll take people for other problems. It'll just be for a night or so. At least he'd have someone to talk to.

*Officer I:* I think you're wrong on this one. He's over 18, and we've got possible grand theft here. So we're talking about a felony. You know how the captain feels about that?

*Officer II:* (resigned) Yeah. I suppose you're right. I guess we should let the DA handle it from here on in. I still think the kid's got problems that aren't going to be solved by busting him.

*Officer I:* Let's take the other two home first — then return the car. We can swing by the station last.

*Officer II:* OK. I'll follow you in the LTD.

*Officer I:* Right.

**SCENE II**

(Officers have released the 15-year olds to parents — then proceeded to house of owner.)

*Owner:* (looking the car over) Yeah, it looks alright to me. These scratches were done by the wife last week. (pointing to patrol car) Is that the punk over there?

*Officer I:* Yes.

*Owner:* What the hell are these kinds trying to prove these days? For Christ sake! It's not even safe to keep your car parked in front of your house.

*Officer II:* Mr. Johnson, it wouldn't have been as easy for him if you hadn't left your keys in the car.

*Owner:* What difference does that make now? The punk still ripped-off the car!

*Officer I:* Well, it could make a difference if your insurance company won't cover theft if you leave keys in the car.

*Officer II:* Well, you have your car back now undamaged, and we have the person who stole it in custody, so. . .

*Owner:* What's going to happen to the little bastard?

*Officer I:* That'll be up to the DA, Mr. Johnson.

*Owner:* Well, I want the book thrown at that kid. We gotta put an end to this neighborhood crime. This used to be a safe area. Now you take your life in your hands everytime you walk out on the street—and what the hell are you guys doing about it? Let the DA and the judges handle it, huh? That kid'll be out on the streets again in no time. You watch.

*Officer II:* Then you want to press charges, Mr. Johnson?

*Owner:* You bet your ass I do. I want that punk off the streets.

*Officer II:* All right. You have the DA's number. We'll put your remaks in our report. The DA will be in touch with you.

*Officer I:* Good night.

*Owner:* What's good about it? (He goes into his house.)

*Officer II:* Come on, let's get it over with.

*Officer I:* Let's book him on joyriding. It won't take as much time. We're off duty in another hour, you know?

*Officer II:* We still have time to take him to the halfway house.

*Officer I:* Oh, let's not go through that again.

*Officer II:* OK. Let's take him in.

(They get in car and leave.)

**SCENE III**

(Three weeks later. Officer I and Officer II during a break in their patrol duty.)

*Officer II:* Hey, I almost forgot to tell you. Remember those kids we caught joyriding a couple of weeks ago?

*Officer I:* Yeah, what about them?

*Officer II:* Remember we busted the older one and took the other two home?

*Officer I:* Yeah.

*Officer II:* Well, I heard something very interesting regarding that little matter.

*Officer I:* What?

*Officer II:* Remember Johnson, the guy who owned the car? Well, he kept hounding the DA to charge the kid with grand theft/auto. He called every day for a solid week until he found out who the kid's father was.

*Officer I:* The kid's father?

*Officer II:* Yeah. It seems the kid's father is president of a private club Johnson was trying to become a member of. Now, when he put all that together, he immediately insisted that the charges be dropped.

*Officer I:* Oh, for cryin' out loud.

*Officer II:* Isn't that something?

*Officer I:* What happened to the kid?

*Officer II:* The DA released him.

*Officer I:* And that was it?

*Officer II:* That was it, as far as that was concerned.

*Officer I:* There's more?

*Officer II:* Yup. Kelly brought the same kid in last night on a breaking and entering rap. They caught him trying to steal school records.

*Officer I:* Maybe you were right when you wanted to take him to a halfway house.

*Officer II:* Well, we'll never know about that. But we do know that the kid's seen the system in operation and he probably doesn't have much respect for it. It might have been different if he had just had someone to talk to.

*Officer I:* Might is an awful big word, buddy.

*Officer II:* All I'm saying is that the justice system is so over-burdened that we've got to start trying some alternatives on the street.

*Officer I:* OK, Doc. Finish your coffee. We've got a meeting in 2 minutes.

**SEGMENT THREE—Warehouse Burglary**

Improvisational Outline

*Characters:* 2 officers (1 rookie and 1 veteran), 1 burglary suspect.

*Time:* 11 p.m.

*Place:* Dark warehouse and vicinity

*Situation:*

*Scene I:* Officers receive radio call indicating burglary in progress.

While on the way, they discuss procedure.

Both exhibit some apprehension due to unknown factors involved, such as:

(a) How many burglars?

(b) Are they armed?

(c) What are the physical conditions of building?

Officers arrive at warehouse.

Officer II apprehends suspect as he is trying to run away.

*Scene II:* Suspect did not have opportunity to touch anything in warehouse.

Suspect speaks with accent — has difficulty with English.

Officers place suspect in patrol car.

Officer II calls to check on previous record.

Officer I attempts to talk with man.

Officer II reports that man has no previous record.

Officer I advises man of his rights.

Suspect tells officers he is poor, unemployed, with no money to adequately feed large family.

Officers discuss man's situation.

Officer I convinces Officer II to take man to Family Services Agency so they may refer him to Public Social Services.

Officers explain to man what he has done and what they are going to do with him.

*Scene III:* Officers have released man to community family services.

They discuss their decision not to arrest.

Officer II is still somewhat skeptical.

They agree to follow up this case to assess the effectiveness of their action.

*Scene IV:* (Outside Welfare Office.)

It is six months later.

Officer II has checked with county welfare agency to find out what happend to man.

Man has moved to rural area of state where he has been working as a farm laborer.

Man is living in public housing.

Officers agree that they took the right step, but admit to the fact that not all cases are this easily resolved.

**SEGMENT THREE—Warehouse Burglary**

*Characters:* 2 officers (1 rookie and 1 veteran), 1 burglary suspect.

*Time:* 11 p.m.

*Place:* Dark warehouse and vicinity

**SCENE 1**

(Officers have received radio dispatch indicating possible burglary in progress at warehouse.)

*Officer I:* (driving patrol car) What's the location on that again?

*Officer II:* 4280 Mariposa. You know where that is?

*Officer I:* Yes, I know where it is, dammit. It's almost to the river. It's a rotten area. We'll take 5th to 48th Avenue and come in that way.

Are you straight on the procedure?

*Officer II:* Sure.

*Officer I:* Well, run it down for me, quickly.

*Officer II:* Oh, come on, we just went through that last night.

*Officer I:* Yeah, but this is the real thing. If I'm gonna stick my ass out there and risk getting it blown off, I want to make sure my partner knows what the hell he's doing.

*Officer II:* Well, what's the point in going through the book procedure if we don't know what the situation really is?

*Officer I:* OK, that's what I want to get straight. In a situation like this there's a lot we don't know. First of all, we really don't know how many of them are in there, right?

*Officer II:* Right.

*Officer I:* We don't know if they're armed — that's the most important thing. And we aren't sure about the physical conditions of the building.

*Officer II:* Most of the warehouses in this area are pretty big.

*Officer I:* Yeah, but we don't know what they look like inside, and it's going to be dark.

*Officer II:* Couldn't the night watchman help us on that?

*Officer I:* Sure, if he's reliable. Most of these guys aren't worth a damn. Then there's the rain, too.

*Officer:* The rain?

*Officer I:* If it's a tin roof, that rain is going to sound like machinegun fire inside.

*Officer II:* Well, now you've got me scared.

*Officer I:* Good. It'll help you to stay alert. Dammit, they ought to put more street lights down here. Looks like that might be the place over there.

*Officer II:* That's it. Not too big.

*Officer I:* It's big enough. (He stops car). You watch this front door and I'll check to see if there are any other exits.

*Officer II:* OK.
(Officer I goes to rear of building. Suddenly a man appears at other side of building trying to sneak away. Officer spots him.)

*Officer II:* Halt! Police officer. Stop right there or I'll shoot. (Man continues.) (shouting) I said stop or I'll shoot, goddammit! (Man stops.)
(Officer I comes running from behind warehouse as Officer II and man talk for short time in muffled tones.)

*Officer II:* The guy almost didn't stop.

*Officer I:* Good work. Put him in the patrol car, and we'll check out the building.

*Officer II:* (angry) I almost had to shoot him!

**SCENE II**

(It is half an hour later. Officers have found nothing else in warehouse. Suspect is locked in patrol car.)

*Officer :* I'm sure he was the only one here — according to the night watchman's story at least.

*Officer II:* What'll we do with him? Bust him on B and E?

*Officer I:* Well, the night watchman says that nothing in the warehouse was disturbed. And we did catch him outside — not in the act of a crime.

*Officer II:* He was fleeing from the scene of a crime, Mike. He almost got his ass shot off!

*Officer I:* There are no visible signs that a burglary has been committed.

*Officer II:* No forced entry?

*Officer I:* He must have gotten through an open window at the rear.

*Officer II:* Let's get a print check.

*Officer I:* Wait a minute! Hold it! Let's talk to the guy and get his story first, all right?

*Officer II:* It's not going to do you any good. He can hardly speak English. He doesn't understand what the hell's going on.

(They enter patrol car, man in back seat, 2 officers in front.)

*Officer I:* That's just the point. Why don't you call central index and check on his record. I'll see if I can talk to him.

*Officer II:* All right. (turns on radio)

*Officer I:* (to man) Can you tell me your name?

*Man:* Burano, sir, Carmen Burano.

*Officer I:* Mr. Burano, where do you live?

*Man:* I am from this town here.

*Officer I:* No. On what street do you live?

*Man:* 28 Street

*Officer I:* Do you know the address? What number?

*Man:* 519 upstairs. Please, mister, I never do this before.

*Officer II:* (turning around) At least he was never caught!

*Officer I:* (to Officer II) No previous record?

*Officer II:* Nope. Listen buster, what the hell were you doing in the warehouse?

*Officer I:* Wait a second! We better advise him of his rights. Mr. Burano you speak Spanish, right?

*Man:* Si.

*Officer I:* (produces small card) Now on this card you will find a list of things we are required to tell you before you answer any of our questions. It's in Spanish.

*Man:* (taking card) You take me to jail?

*Officer II:* Just read that card first. (to Officer I) Why don't we take him in and they can do this down at the station, where it's warm.

*Officer I:* I don't think the guy is a criminal. I want to find out why he was in that warehouse. Mr. Burano, do you understand everything there?

*Man:* Yes, I see. I'm sorry for going in building.

*Officer I:* What were you trying to do?

*Man:* It was bad. I want to take something.

*Officer II:* You wanted to steal something from that warehouse?

*Man:* Yes.

*Officer I:* What for?

*Man:* I want to sell it to get money for my family. I sell the radios and. . .

*Officer I:* You don't have any money? Do you have a job?

*Man:* No job, no money. I have five hijos. I have to feed them.

*Officer II:* Mr. Burano, are you on welfare?

*Man:* I am not getting that.

*Officer I:* Why not?

*Man:* My brother tells me that that man says no about it.

*Officer II:* What man?

*Man:* Some man at office downtowr

*Officer II:* What office is that?

*Officer I:* Look, this guy is really confused. I think it's going to make matters worse if we take him in.

*Officer II:* Are you sure he's not trying to con us?

*Man:* You take me to jail now?

*Officer I:* Just a second. (to Officer II) I don't think he's trying to con us. I think he's on the level.

*Officer I:* Why don't we take him in and let a translator work with him.

*Officer I:* No, he understands enough English. Look at him. He's shaking he's so nervous. I think he's desperate.

*Officer II:* I don't know. Maybe you're right. What should we do with him then?

*Officer I:* Well, we could take him home. But I think he really needs some help with his welfare and all that.

*Officer II:* What are we going to tell him? I'm sure he must qualify for welfare but I don't know what he should do to get on it. Do you?

*Officer I:* We could take him to Family Services Agency on Main Street. I'm sure they could help him.

*Officer II:* Yeah, but the guy has admitteed to committing a crime, and he should be made aware that he can't get away with it.

*Officer I:* I know it sounds hokey, but it's the last resort of a desperate man. All he's looking for is a solution to his money problems. At FSA, someone can help him get on welfare. They have counselors there we can talk to about the fact that he was apprehended fleeing

from the scene of a crime. He already understands that he was breaking the law and that he was wrong.

*Officer II:* OK, let's get on with it. You want me to drive?

*Officer I:* Fine. I'll try to explain to him what we're doing.

(They drive off.)

**SCENE III**

(An hour and a half later. Officers are sitting in patrol car outside FSA.)

*Officer II:* I have my doubts about those people in there.

*Officer I:* What do you mean?

*Officer II:* Well, they're just volunteers. It's hard to trust a volunteer. I just don't have any confidence in them. You know what I mean?

*Officer I:* Well, the reason they're all volunteers is that there just isn't enough money available to pay people to do this. Most of these places are just getting started. It's just like anything else, it's going to take awhile before people get aware of the fact that these places even exist. We have to start somewhere.

*Officer II:* Is there some way we can follow up on this guy?

*Officer I:* I don't see why not. I'd be interested to find out what happens to him.

*Officer II:* I'll bet you a luncheon special at Sal's that the guy's behind bars in less than a year.

*Officer I:* You're on, partner! All we have to do is find out who is handling his case. How about we check 6 months from now?

*Officer II:* OK with me.

**SCENE IV**

(It is 6 months later. The 2 officers are in their patrol car outside the county welfare office.)

*Officer II:* Could you get any information?

*Officer I:* I certainly did. And tomorrow will be just fine at Sal's.

*Officer II:* What happened to Carmen Burano?

*Officer I:* He no longer lives here.

*Officer II:* Where is he?

*Officer I:* He and his family moved to Clayton.

*Officer II:* Clayton?

*Officer I:* That's right. You know what Clayton is?

*Officer II:* What?

*Officer I:* Clayton is the walnut capitol of the United States and Mr. Burano is by now, I'm sure, one of our country's finest walnut-taker-carers.

*Officer II:* You're putting me on!

*Officer I:* No, seriously. He was on welfare and food stamps here for a month and a half after we ran into him. His social worker got him this job as a farm laborer in Clayton. He moved his entire family there into county housing for farm workers and he's doing fine.

*Officer II:* Well, I'll be a son of a. . .

*Officer I:* So, shall we get on with the evening's work.

*Officer II:* (pulls the car out) I wonder how many other guys like him there are running around these streets.

*Officer I:* Who knows? The hard thing to take is that we usually run into them at their lowest point — like I said, when they're desperate. I wish to hell somebody would get to them earlier. Mr. Burano was lucky.

*Officer II:* Yeah, he was lucky he ran into you, not me. I would have busted him.

*Officer I:* Now, don't put yourself down. I've been at this a little longer than you. It was a tense situation out there in the darkness and the rain. You were probably pissed off at the guy because it was late and you were tired, and he almost forced you to blow him up. Right?

*Officer II:* Yeah, I suppose so. I still would have busted him then. Now I don't know.

*Officer I:* A different suspect with a record in the same circumstances, I would have probably busted him too. After awhile you get to a point where you've heard all the stories told from every possible angle. By that time you're hardened, but you're usually able to tell when somebody's giving it to you straight. It used to be a lot worse. A couple of years ago there wasn't any place to take someone like Burano except the station house. At least now we have some choice.

*Officer II:* Do you think these places like FSA will work?

*Officer I:* How the hell would I know. In a case like Burano's, it wouldn't have done any good to just take him home to his ignorant relatives.

*Officer II:* Don't you think that in some cases the best thing that can happen to an offender is to be busted — for his own protection, maybe?

*Officer I:* I used to think that, but I don't think I feel that way anymore.

*Officer II:* Well, now you've got me doubting myself.

*Officer I:* Good. It'll keep you more alert, so you won't go through another red light like you just did.

*Officer II:* Oh, no!

*Officer I:* (laughing) It's OK. I'll use my discretion. I won't cite you, just send you to 3 weeks of traffic school.

(They both laugh.)